

WATER RIGHT REPORT

Close

8/13/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 74-15928

Owner Type Name and Address

Current Owner JANET E BIRD

Current Owner KURT W BIRD

56 LOWER TEXAS CREEK RD

LEADORE, ID 83464

2087682425

Original Owner OPAL C ADAMS

Original Owner ROBERT H ADAMS

PO BOX 54

LEADORE, ID 83464

2087562435

Priority Date: 04/10/1909

Basis: Decreed

Status: Active

Source Tributary

BIG TIMBER CREEK LEMHI RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u> <u>Volume</u>
IRRIGATION	03/15 11/15	22.64 CFS
IRRIGATION STORAGE	03/15 11/15	62.4 AFA
IRRIGATION FROM STORAGE	03/15 11/15	62.4 AFA
DIVERSION TO STORAGE	03/15 11/15	1.56 CFS
Total Diversion		24.2 CFS 62.4 AFA

Location of Point(s) of Diversion:

BIG TIMBER CREEK SWNW Sec. 20 Township 15N Range 26E LEMHI County

IRRIGATION Use:

Acre Limit: 564.3

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
15N	26E	3		SWSW	33.8		SESW	36						
				SWSE	37		SESE	29						

8	SESW 4			
	NWSE 1	SWSE 18		
9	NWNE 3.5	SWNE 6.8	SENE 10	
	NENW 38.9	NWNW 27	SWNW 25.5	SENE 38
	SESW 4.2			
	NESE 40	NWSE 28	SWSE 28.9	SESE 39
10	NENE 33	NWNE 38	SWNE 38	SENE 34
	NENW 39	NWNW 33.7	SWNW 34.7	SENE 40
	NESW 40	NWSW 40	SWSW 37	SESW 40
	NESE 38	NWSE 34.5	SWSE 11.1	SESE 1.5
14	NWNW 1			
	NWSW 24.8	SWSW 1		
15	NENE 33.6	NWNE 30.5	SWNE 35	SENE 39
	NENW 36	NWNW 31.8	SWNW 30	SENE 36.5
	NESW 36.5	NWSW 30.5	SWSW 29.7	SESW 36.9
	NESE 34.9	NWSE 30.9	SWSE 34.9	SESE 36.9
22	NENE 1.5	NWNE 1.5		

Place of Use Legal Description: IRRIGATION STORAGE LEMHI County

Township Range Section Lot Tract Acres Lot Tract Acres Lot Tract Acres Lot Tract Acres

15N 26E 17 SWSE SESE

Place of Use Legal Description: IRRIGATION FROM STORAGE LEMHI County

Township Range Section Lot Tract Acres Lot Tract Acres Lot Tract Acres Lot Tract Acres

15N	26E	3	SWSW 33.8	SESW 36			
			SWSE 37	SESE 29			
		8	SESW 4				
			NWSE 1	SWSE 18			
		9	NWNE 3.5	SWNE 6.8	SENE 10		
			NENW 38.9	NWNW 27	SWNW 25.5	SENE 38	
			SESW 4.2				
			NESE 40	NWSE 28	SWSE 28.9	SESE 39	
		10	NENE 33	NWNE 38	SWNE 38	SENE 34	
			NENW 39	NWNW 33.7	SWNW 34.7	SENE 40	
			NESW 40	NWSW 40	SWSW 37	SESW 40	
			NESE 38	NWSE 34.5	SWSE 11.1	SESE 1.5	
		14	NWNW 1				
			NWSW 24.8	SWSW 1			
		15	NENE 33.6	NWNE 30.5	SWNE 35	SENE 39	
			NENW 36	NWNW 31.8	SWNW 30	SENE 36.5	
			NESW 36.5	NWSW 30.5	SWSW 29.7	SESW 36.9	
			NESE 34.9	NWSE 30.9	SWSE 34.9	SESE 36.9	
		22	NENE 1.5	NWNE 1.5			

Total Acres: 3109

Conditions of Approval:

1. X27 This right is limited to the irrigation of 564.3 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 74-15926 and 74-15928 when combined shall not exceed a total diversion rate of 24.2 cfs and the irrigation of 799.5 acres.
3. X35 Rights 74-32, 74-15926, and 74-15928 when combined shall not exceed a total diversion rate of 27.44 cfs and the irrigation of 799.5 acres.
4. X35 Rights 74-32, 74-34, 74-7165, 74-15926, 74-15927, 74-15928, 74-15929, 74-15930 and 74-15931 when combined shall not exceed a total diversion rate of 46.37 cfs and the irrigation of 1554.5 acres.
5. 219 Right(s) 74-7165 and 74-15928 authorize the diversion of an annual total of 72.0 af to be used for the initial filling of the pond and for the replacement of losses caused by evaporation.
6. 220 The pond established by the storage of water under rights 74-7165 and 74-15928 shall not exceed a total capacity of 60 acre-feet or a total surface area of 7 acres.
7. K01 Right No. 74-15926 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
8. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 74W.
9. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
10. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
11. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
12. R40 The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
13. 18B The impoundment of water under this right is contingent upon the issuance of a certificate of approval per the dam safety provisions of Idaho Code and subsequent written authorization by the dam safety program administered by the Department.
14. 004 This right does not grant any right-of-way or easement across the land of another.
15. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
16. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
17. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 04/16/2008
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Water Supply Bank Enrollment Date Accepted:
Water Supply Bank Enrollment Date Removed:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:
State or Federal: S
Owner Name Connector: AND/OR
Water District Number: 74W
Generic Max Rate per Acre: 0.02
Generic Max Volume per Acre: 3.5
Combined Acres Limit: 1554.5
Combined Volume Limit:
Combined Rate Limit: 46.37
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False
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